

National Labor Relations Board's FY 2006 E-Government Act Report

1. Brief overview of your agency's implementation of the Act including a description of an internal agency specific E-Government initiative.

In keeping with the objectives of the President's Management Agenda, Chairman Battista directed the Office of the Chief Information Officer to develop an E-Government (E-Gov) strategy focused on making NLRB information and processes transparent and accessible to the public. The strategy led to implementation of a citizen-centric web portal. The portal will enable Government to Constituent (G2C) collaboration, linking people, process and content. A key aspect of the portal is relevancy, offered through personalization and customization. These features enable the targeting of the content of the portal page to potentially any number of organizations, groups or individual citizens. A concerted effort has been made to ensure the portal functionality aligns with both the Agency's mission, and with the President's goals for improved Government performance.

Building a portal-based public interface is one component of the long-term unified case management vision: to be able to provide better services, more efficient case handling, greater transparency, and continued improvement in quality. This important step will provide a gateway for the public, including participants in NLRB cases, the Agency and existing systems to communicate with one another in the course of transacting business, as well as offering Freedom of Information Act (FOIA) accessible documents online to the general public.

With this system in place, the Agency will be poised to migrate legacy systems to a common platform seamlessly without interrupting current services. The NLRB Portal Project will offer a self-service solution to citizens so they might obtain, maintain, and share information. Having a broader group review case data will mitigate risks associated with inaccurate or incomplete data in our internal case processing systems.

Currently, through our website, employers, unions, individuals and their representatives can file electronically a wide range of documents with the Office of the Executive Secretary of the Board and can request electronically an extension of time to file an appeal with the General Counsel's Office of Appeals from a Regional Director's refusal to issue a complaint.

Commencing in late October 2006, the public will be able to file electronically through the Agency's portal: 1) a wide range of case handling documents with the Board's 32 Regional Offices 2) appeals to the General Counsel's Office of Appeals from a Regional Director's refusal to issue complaints, a Regional Director's compliance determination, and certain FOIA determinations, and 3) briefs, motions and other documents with the NLRB's Division of Judges. The across-the-board advent of E-Filing will eliminate in large part the exchange of paper documents and expedite the processing of filings by the Agency. In addition, the E-Filing system eventually will facilitate the migration of data to various case record-keeping and tracking systems employed by the Agency, thereby

mitigating the chance of human error which often accompanies the keyed entry of data into computer systems. This E-Filing initiative will greatly enhance the ability of the public to transact business online with the NLRB, as well as the Agency's ability to better serve the public.

The Board Docket and Order query feature allows users to search cases pending before the Board. Information displayed includes the case number, case name, documents filed before the Board in chronological order and the date the document was filed. Document types include briefs, exceptions, cross-exceptions and orders issued.

The Agency's Electronic Case Information System (ECIS) will allow users to find procedural information about a particular case processed by the Board or the Office of the General Counsel. The database contains information about cases processed after October 1, 1999. The database will only provide information where it exists and is publicly available. ECIS contains a link to the Board's Internet FOIA request form, which will allow users to file the request electronically. Users are able to search unfair labor practice ("C") cases by case name, case number, party type, type of unfair labor practice, or appeal determination. Users may search representation ("R") cases by case name, case number, party type, case type, or closing method. The more information entered in the search criteria, the more specific the results of the search will be. However, users do not need all of the information about a particular case to conduct a search as ECIS provides drop down menus for search entries to assist in making precise searches for both basic and advanced searches.

We also are engaging in collaboration with other government agencies. NLRB representatives have met with a number of government agencies, including the Equal Employment Opportunity Commission, the Commodities Future Trading Commission and Department of Justice Antitrust Division, to review their "lessons learned" in choosing a Commercial off the Shelf product as a solution to a new case management system. We have also remained in close touch with the Department of Justice on their case management initiative. To enhance our dialogue with interested parties, the Agency twice yearly meets with the American Bar Association and our Regional offices have regular meetings with local representatives of the labor and management bar. On our web site we solicit feedback from the general public and address their concerns and suggestions.

The Agency is also utilizing the documents received electronically to create protocols, processes and infrastructure to support an electronic case file that can be made available electronically to all offices of the Agency during the processing of a case, thereby savings considerable costs in the shipment and storage of case files between headquarters and the field. A pilot program was conduct in two NLRB Regional offices during FY 2006 and this pilot developed some best practices and identified IT needs to support an electronic case file. This initiative is already enhancing the Agency's operations since the NLRB must file all court documents electronically with the US Bankruptcy Courts and US District Courts and is expected to improve the Agency's GPRA performance goals.

Finally, although these e-Government initiatives will substantially expand our online transactions with Section 508 compliancy, the Agency continues to ensure that individuals and entities without access to the Internet or with disabilities can interact with the Agency through traditional means, such as mail, overnight delivery, personal service or visits to our Regional Offices.

2. Brief description of your process for determining which information will be made available on the Internet as described in Section 207(f)(2) of the Act and OMB Memorandum M-05-04 "Policies for Federal Agency Public Websites".

The agency launched its public Web site (www.nlr.gov) in 1997. During FY 2006, we completed a major re-design of the site and in early FY 2007 moved it from AT&T to SAVVIS, a managed services commercial hosting facility. This redesigned site, along with the portal is a major step forward in our continuing efforts to provide the public with greater online access to NLRB information and interaction with the agency consistent with the President's E-Gov initiatives.

As a matter of policy, the NLRB strives to post on the web site all documents that are disclosable under FOIA within budgetary limitations. As with all paper documents, the Agency has a system of determining public dissemination based upon approval by selected officials subject to FOIA and the Privacy Act. The Board and General Counsel have authorized the Deputy Executive Secretary to have overall responsibility for managing the site including the process for selecting and posting documents on the Internet.

Highest priority is given to time-sensitive, policy documents for posting on the site, such as decisions by the Board, Administrative Law Judges (ALJ), and Regional Directors (<http://www.nlr.gov/nlr/legal/decisions/default.asp>). Decisions typically are published on the site 3 working days following date of issuance. The timing is to allow parties to cases to receive the decisions prior to the general public. Other documents, such as memoranda issued by the Office of the General Counsel, are posted 1-2 days after issuance (http://www.nlr.gov/nlr/shared_files/gcmemo/gcmemo/default.asp?useShared=/nlr/legal/gcmemo/gcmemo/default.asp). Press releases are posted on a regular basis, announcing to the public NLRB's developments of general interest (<http://www.nlr.gov/nlr/press/releases/default.asp>). Developments subject to public notice and comment under the Administrative Procedures Act are published in the site's Public Notice area (http://www.nlr.gov/nlr/shared_files/reports/default.asp?useShared=/nlr/legal/reports/default.asp). Selected documents of high public interest are placed in the Hot Docs area (<http://www.nlr.gov/nlr/about/foia/FrequentlyRequestedDocuments.asp>). The site's UltraSeek search engine is available to users on all pages and permits searching of all files on the site. It displays search results in order of relevancy to search criteria.

The Agency has a variety of interlinked systems designed to enhance public access to Agency information in electronic form, in conformance with its obligations under FOIA. Currently the Agency's public website provides access in an Electronic Reading Room to

a wealth of Agency documents: Board, ALJ and Regional Directors' decisions, Advice Memoranda disclosed under the Agency's FOIA policy, as well as other Agency publications such as its Rules and Regulations, Manuals, press releases and other public notices. In addition the Agency posts other documents of current interest, such as briefs in high profile cases, which are likely to be frequently requested. Finally, CITENET, the Agency's electronic digest of Board and selected court and ALJ decisions, is accessible from the Agency website. Our website is compliant with all OMB policies and guidelines for Federal agency websites.

We also make available information to the public available through opening our libraries to members of the public and responding to FOIA and other requests by traditional means such as mail. Each of the NLRB's 32 Regional Offices maintains an Information Officer Program that answers questions and provides assistance to employers, unions and individuals. Each office also has TDY equipment to speak with the hearing impaired. Finally, we also have a National 1-800 number to provide information to the public and direct calls to the appropriate Regional Office that would assist the individual calling.

3. Brief description of your agency's information dissemination activities are coordinated with its FOIA operations in order to improve both access to and dissemination of government information to the public.

The Freedom of Information Act, 5 U.S.C. Sec. 552, requires federal agencies to disclose records after receiving a written request for them, except for records protected from disclosure by certain provisions of FOIA. The NLRB web site is designed to familiarize the public with the specific procedures for making a FOIA request. The site also includes descriptions of the types of records maintained by the NLRB, and directly links to a number of records available over the internet.

The NLRB maintains a FOIA Reference Guide that provides a detailed explanation of records under FOIA as well as step-by-step instructions on how to obtain records from the NLRB.

Thus, the vast majority of the records maintained by the NLRB are those in specific representation or unfair labor practice case files. We also maintain statistical data with respect to our operations and periodically issue memoranda relating to our mission.

The NLRB makes certain of its records available through links to an Electronic Reading Room on the website. These records include: (1) final opinions and orders made in adjudicating recent cases; (2) final statements of policy and interpretations that have not been published in the Federal Register; and (3) other documents that the Agency determines are of general public interest and are likely to be the subject of repeated requests.

The NLRB also maintains public information rooms in its several offices where individuals may view printed copies of available materials. The public information room at the NLRB's Headquarters office is located at 1099 14th Street, N.W., Washington,

D.C. 20570, Room 9201. The case records unit, where the public may view the contents of formal case files, also is located there. Because access to the building is controlled, we recommend that persons wishing to visit first phone (202) 273-2840 for an appointment.